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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/594,129

04/09/2007

Philip Howard Gazeley

UDL46.001APC

7083

31282 7590 09/19/2008  
LAW OFFICE OF LEO ZUCKER  
2591 Duning Drive  
PO BOX 1177  
Yorktown Heights, NY 10598

EXAMINER

BLAU, STEPHEN LUTHER

ART UNIT

PAPER NUMBER

3711

MAIL DATE

DELIVERY MODE

09/19/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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Law Office of Leo Zucker  
2591 Duning Drive  
PO Box 1177  
Yorktown Heights, NY 10598

*In re* Application of: Gazeley )  
Application No. 10/594,129 ) **DECISION ON PROTEST UNDER**  
Filed: September 25, 2006 ) **37 CFR §1.291**  
For: GOLF CLUB GRIP )  
)

This is in response to the protest under 37 CFR §1.291 filed on February 26, 2008.

37 CFR § 1.291 states, in pertinent part, the following:

*37 CFR 1.291. Protests by the public against pending applications.*

\*\*\*\*\*

(b) The protest will be entered into the record of the application if, in addition to complying with paragraph (c) of this section, the protest has been served upon the applicant in accordance with §1.248, or filed with the Office in duplicate in the event service is not possible; and, except for paragraph (b)(1) of this section, the protest was filed prior to the date the application was published under § 1.211, or a notice of allowance under § 1.311 was mailed, whichever occurs first:

(1) If a protest is accompanied by the written consent of the applicant, the protest will be considered if the protest is matched with the application in time to permit review during prosecution.

\*\*\*\*\*

(g) Protests that fail to comply with paragraphs (b) or (c) of this section may not be entered, and if not entered, will be returned to the protestor, or discarded, at the option of the Office.

The protest has not been filed prior to the date of publication of the application and has not been accompanied with the applicant's written consent. Therefore, the protest does not comply with 37 CFR § 1.291 and in accordance with § 1.291(g), the papers have not been entered into the application and have been discarded.

Any inquiry regarding this decision should be directed to Josie A. Ballato, Special Program Examiner at 571-272-3567.

Robert P. Olszewski  
Director  
Technology Center 3700  
Mechanical Engineering, Manufacturing, Products and Designs